

RANDALL S. LUSKEY (SBN: 240915)
rluskey@paulweiss.com
**PAUL, WEISS, RIFKIND, WHARTON
& GARRISON LLP**
535 Mission Street, 24th Floor
San Francisco, CA 94105
Telephone: (628) 432-5100
Facsimile: (628) 232-3101

ROBERT ATKINS (*Pro Hac Vice* admitted)
ratkins@paulweiss.com
CAITLIN E. GRUSAUSKAS (*Pro Hac Vice* admitted)
cgrusauskas@paulweiss.com
ANDREA M. KELLER (*Pro Hac Vice* admitted)
akeller@paulweiss.com
**PAUL, WEISS, RIFKIND, WHARTON
& GARRISON LLP**
1285 Avenue of the Americas
New York, NY 10019
Telephone: (212) 373-3000
Facsimile: (212) 757-3990

Attorneys for Defendants
UBER TECHNOLOGIES, INC.;
RASIER, LLC; and RASIER-CA, LLC

[Additional Counsel Listed on Signature Page]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE: UBER TECHNOLOGIES, INC.,
PASSENGER SEXUAL ASSAULT
LITIGATION

This Document Relates to:

ALL ACTIONS

Case No. 3:23-md-03084-CRB

**DEFENDANTS UBER TECHNOLOGIES,
INC., RASIER, LLC, AND RASIER-CA,
LLC'S RESPONSE TO PLAINTIFFS'
NOTICE OF CORRECTION (ECF NO.
2458)**

Judge: Hon. Lisa J. Cisneros
Courtroom: G – 15th Floor

1 The Court ordered that Plaintiffs' motion to compel policy documents could not exceed seven
 2 pages. ECF 2409. Yet, on March 10, 2025, Plaintiffs filed a so-called Notice of Correction, which
 3 Plaintiffs used to improperly supplement their motion to compel with an additional two pages of
 4 argument, without seeking leave of Court to submit supplemental briefing. Defendants therefore move
 5 to strike Plaintiffs' Notice of Correction (ECF 2458). In the alternative, Defendants seek leave of Court
 6 to respond as follows.

7 For one of the documents Plaintiffs claimed was missing, Plaintiffs now admit that: (i) they
 8 have a slipsheet produced by Defendants stating that Defendants withheld the document for privilege,
 9 and (ii) that Plaintiffs received a privilege-log entry for that same document. Plaintiffs further admit
 10 that they failed to look for this slipsheet and privilege-log entry, which Plaintiffs acknowledge are all
 11 associated with the Exhibit F document that contains the hyperlink. Indeed, Plaintiffs did not follow
 12 the simple steps – which take only a couple of minutes – to look at the associated slipsheet and
 13 privilege-log entry *until after* Defendants told Plaintiffs of their mistake.¹ Instead of simply correcting
 14 their mistake, Plaintiffs are deflecting and trying to cast blame for their own failure to look for the
 15 hyperlinked document using the very information that Defendants have produced that enables
 16 Plaintiffs to associate hyperlinked documents. Thus, Plaintiffs' Notice only illustrates the breadth of
 17 the information that Plaintiffs already have at their disposal if they are willing to take the basic steps
 18 to utilize it.

19
 20 DATED: March 11, 2024

Respectfully submitted,

21 **SHOOK HARDY & BACON L.L.P.**

22 By: /s/ Veronica Hayes Gromada
 23 VERONICA HAYES GROMADA

24 Veronica Hayes Gromada (*Pro Hac Vice*
 25 admitted), vgromada@shb.com
SHOOK, HARDY & BACON L.L.P.

26 ¹ The March 7 meet-and-confer that Plaintiffs reference was convened by Defendants on an emergency
 27 basis to discuss a serious issue about Plaintiffs' counsel's actions with respect to hyperlinked
 28 documents that the parties are working to resolve without the Court's intervention. If the parties are
 unable to do so, Defendants will seek appropriate relief from the Court.

600 Travis St., Suite 3400
Houston, TX 77002
Telephone: (713) 227-8008
Facsimile: (713) 227-9508

MICHAEL B. SHORTNACY (SBN: 277035)
mshortnacy@shb.com
SHOOK, HARDY & BACON L.L.P.
2121 Avenue of the Stars, Suite 1400
Los Angeles, CA 90067
Telephone: (424) 285-8330
Facsimile: (424) 204-9093

PATRICK OOT (Admitted *Pro Hac Vice*)
oot@shb.com
SHOOK, HARDY & BACON L.L.P.
1800 K St. NW Ste. 1000
Washington, DC 20006
Telephone: (202) 783-8400
Facsimile: (202) 783-4211

KYLE N. SMITH (*Pro Hac Vice* admitted)
ksmith@paulweiss.com
JESSICA E. PHILLIPS (*Pro Hac Vice* admitted)
jphillips@paulweiss.com
**PAUL, WEISS, RIFKIND, WHARTON
& GARRISON LLP**
2001 K Street, NW
Washington DC, 20006
Telephone: (202) 223-7300
Facsimile: (202) 223-7420

Attorney for Defendants
UBER TECHNOLOGIES, INC.,
RASIER, LLC, and RASIER-CA, LLC